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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/561,617

**Applicant(s)**

YOSHIDA, NAOKI

**Examiner**

PINKAL CHOKSHI

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 12/20/05.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 18-20 and 33-36** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention does not fall within at least one of the four categories of patent eligible subject matter recited in 35 U.S.C. 101 (process, machine, manufacture, or composition of matter). Claims 18 and 33 are claiming a program and program itself cannot be patented. Claims 19-20 and 34-36 are rejected since they are dependent on claim 18 and 33.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3, 5-7, 21-23, 25-27, 29-31, and 33-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG Pub 2003/0115606 to Menez et al (hereafter referenced as Menez) in view of JP Publication 09-162821 to Sakamoto et al (hereafter referenced as Sakamoto).

Regarding **claim 1**, “a content providing system” reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to “system characterized by comprising: providing a first content from a first content providing apparatus on a first broadcast channel in a state in which a trigger content serving as a trigger for provision of a second content is combined with the first content” Menez discloses (§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to “providing the second content from a second content providing apparatus on a second broadcast channel” Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer on the same channel.

As to “when the trigger content is triggered in a state in which a receiver is receiving the first content on the first broadcast channel, causing the receiver to switch a broadcast channel to be received from the first broadcast channel to the second broadcast channel and receive the second content provided by the second content providing apparatus” Menez discloses (§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

Menez meets all the limitations of the claim except "when end of viewing of the second content is inputted in the receiver, causing the receiver to switch a broadcast channel to be received from the second broadcast channel to the first broadcast channel and receive the first content provided by the first content providing apparatus again." However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 2**, "a content providing system characterized in that the receiver transmits information inputted by a viewer on the basis of the second content provided to an information processing apparatus via a network" Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 3**, "a content providing system characterized in that the second content providing apparatus provides, as the second content, a content

for causing a viewer who is viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity” Menez discloses (§§0016, §§0019, §§0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 5**, “a content providing method” reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to “method characterized by comprising: providing a first content from a first content providing apparatus on a first broadcast channel in a state in which a trigger content serving as a trigger for provision of a second content is combined with the first content” Menez discloses (§§0007 and §§0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to “providing the second content from a second content providing apparatus on a second broadcast channel” Menez discloses (§§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

As to “when the trigger content is triggered in a state in which a receiver is receiving the first content on the first broadcast channel, causing the receiver to

switch a broadcast channel to be received from the first broadcast channel to the second broadcast channel and receive the second content provided by the second content providing apparatus" Menez discloses (§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

Menez meets all the limitations of the claim except "when end of viewing of the second content is inputted in the receiver, causing the receiver to switch a broadcast channel to be received from the second broadcast channel to the first broadcast channel and receive the first content provided by the first content providing apparatus again." However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 6**, “a content providing method characterized in that the receiver transmits information inputted by a viewer on the basis of the second content provided to an information processing apparatus via a network” Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 7**, “a content providing method characterized in that the second content providing apparatus provides, as the second content, a content for causing a viewer who is viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity” Menez discloses (§0016, §0019, §0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 21**, “a content receiver” reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to “receiver characterized by comprising: receiving means that receives a first content provided by a first content providing apparatus on a first broadcast channel” Menez discloses (§0007 and §0012) that the broadcasters send



programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to “receives a second content provided by a second content providing apparatus on a second broadcast channel” Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

As to “judging means that judges whether the second content is triggered on the basis of a trigger content combined with the first content in a state in which the first content is received on the first broadcast channel and switching control means that performs control to switch, when it is judged by the judging means that the second content is triggered, a channel to be received from the first broadcast channel to the second broadcast channel” Menez discloses (§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

Menez meets all the limitations of the claim except “switch, when end of viewing of the second content is inputted, a channel to be received from the second broadcast channel to the first broadcast channel.” However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs

are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 22**, "a content receiver characterized by further comprising transmitting means that transmits, via a network, information inputted from a viewer on the basis of the second content provided to an information processing apparatus" Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 23**, "a content receiver characterized that the receiving means receives, as the second content, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity" Menez discloses (§0016, §0019, §0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 25**, “a content receiving method” reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to “method characterized by comprising: a first receiving step of receiving a first content provided by a first content providing apparatus on a first broadcast channel” Menez discloses (§§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to “a judging step of judging whether a second content is indicated on the basis of a trigger content combined with the first content in a state in which the first content is received on the first broadcast channel and a first switching control step of switching, when it is judged by processing of the judging step that the second content is indicated, a channel to be received from the first channel to the second channel” Menez discloses (§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to “a second receiving step of receiving the second content provided by a second content providing apparatus on a second broadcast channel” Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

Menez meets all the limitations of the claim except "a second switching control step of performing control to switch, when end of viewing of the second content is inputted, a channel to be received from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Regarding **claim 26**, "a content receiving method characterized by further comprising a transmitting step of transmitting information inputted from a viewer on the basis of the second content provided to an information processing apparatus via a network" Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 27**, "a content receiving method characterized in that, in the second receiving step, a content for causing a viewer viewing the first content

to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is received as the second content" Menez discloses (§§0016, §§0019, §§0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 29**, "a recording medium having recorded therein a computer readable program the computer readable program characterized by comprising: a first receiving step of receiving a first content provided by a first content providing apparatus on a first broadcast channel" Menez discloses (§§0007 and §§0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to "a judging step of judging whether a second content is indicated on the basis of a trigger content combined with the first content in a state in which the first content is received on the first broadcast channel and a first switching control step of switching, when it is judged by processing of the judging step that the second content is indicated, a channel to be received from the first channel to the second channel" Menez discloses (§§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a

server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to “a second receiving step of receiving the second content provided by a second content providing apparatus on a second broadcast channel” Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.

Menez meets all the limitations of the claim except “a second switching control step of performing control to switch, when end of viewing of the second content is inputted, a channel to be received from the second broadcast channel to the first broadcast channel.” However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez’s system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Combination of Menez and Sakamoto meets all the limitations of the claim except “computer readable program is recorded in the storage medium.” However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium.

Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recorded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 30**, "a recording medium characterized in that the program further comprises a transmitting step of transmitting information inputted from a viewer on the basis of the second content provided to an information processing apparatus via a network" Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 31**, "a recording medium characterized in that, in the second receiving step, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is received as the second content" Menez discloses (§0016, §0019, §0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 33**, office will assume a computer readable program stored in a recording medium "a recording medium having recorded therein a computer readable program the computer readable program characterized by comprising: a first receiving step of receiving a first content provided by a first content providing apparatus on a first broadcast channel" Menez discloses (§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125).

As to "a judging step of judging whether a second content is indicated on the basis of a trigger content combined with the first content in a state in which the first content is received on the first broadcast channel and a first switching control step of switching, when it is judged by processing of the judging step that the second content is indicated, a channel to be received from the first channel to the second channel" Menez discloses (§0019) that the viewer at the receiver receives and watches program when a program identifier initiates on display screen. When user selects this identifier on the screen, receiver connects to a server to obtain proposed transactions for the sale of a product provided to consumer via display screen.

As to "a second receiving step of receiving the second content provided by a second content providing apparatus on a second broadcast channel" Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer.



Menez meets all the limitations of the claim except "a second switching control step of performing control to switch, when end of viewing of the second content is inputted, a channel to be received from the second broadcast channel to the first broadcast channel." However, Sakamoto discloses (§0051) that while the receiver was receiving the lesson program, user selects to watch tennis program and it switches back to lesson program when tennis program ends. Sakamoto further discloses (§0001) that the two programs are multiplexed and transmitted to receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez's system by switching the program when the requested program ends as taught by Sakamoto so the viewer does not have to change the program manually when the requested program ends.

Combination of Menez and Sakamoto meets all the limitations of the claim except "computer readable program is recorded in the storage medium." However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recoded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 34**, "a program characterized by further comprising a transmitting step of transmitting information inputted from a viewer on the basis of the second content provided to an information processing apparatus via a network" Menez discloses (§0016) that the receiver transmits information to servers via communication network as represented in Fig. 1 (element 140).

Regarding **claim 35**, "a program characterized in that, in the second receiving step, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is received as the second content" Menez discloses (§0016, §0019, §0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

4. **Claims 4, 8, 24, 28, 32, and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Menez in view of Sakamoto et al as applied to claim 1 above, and further in view of WO Publication 98/28869 to Rao et al (hereafter referenced as Rao).

Regarding **claim 4**, "a content providing system characterized by comprising: the second content providing apparatus broadcasting common contents generated on the basis of an identical template as the plurality of the second contents" Menez discloses (§0012) that the viewer can purchase copy of

the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 8**, "content providing method characterized by comprising: and the second content providing apparatus broadcasting common contents generated on the basis of an identical template as the plurality of the second contents" Menez discloses (§10012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 24**, "a content receiver characterized in that the receiving means selects and receives the second content corresponding to the first broadcast channel being received out of a plurality of the second contents that are common contents, which are generated on the basis of an identical template, transmitted on the one second broadcast channel and corresponding to the respective first contents provided by a plurality of the first content providing apparatuses on the first broadcast channels thereof." Menez discloses (§10012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 28**, "a content receiving method characterized in that, in the second receiving step, the second content corresponding to the first broadcast channel being received is selected and received out of a plurality of the second contents that are common contents, which are generated on the basis of an identical template, transmitted on the one second broadcast channel and corresponding to the respective first contents provided by a plurality of the first content providing apparatuses on the first broadcast channels thereof." Menez discloses (§10012) that the viewer can purchase copy of the same

broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 32**, "a recording medium characterized in that, in the second receiving step, the second content corresponding to the first broadcast channel being received is selected and received out of a plurality of the second contents that are common contents, which are generated on the basis of an identical template, transmitted on the one second broadcast channel and corresponding to the respective first contents provided by a plurality of the first content providing apparatuses on the first broadcast channels thereof." Menez

discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 36**, "a program characterized in that, in the second receiving step, the second content corresponding to the first broadcast channel being received is selected and received out of a plurality of the second contents that are common contents, which are generated on the basis of an identical template, transmitted on the one second broadcast channel and corresponding to the respective first contents provided by a plurality of the first content providing

apparatuses on the first broadcast channels thereof.” Menez discloses (¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Combination of Menez and Sakamoto meets all the limitations of the claim except “providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel.” However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

5. **Claims 9-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Menez in view of Rao.

Regarding **claim 9**, “a content providing apparatus” reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).



As to "transmitting means that transmits the plurality of the second contents on one second broadcast channel" Menez discloses (§¶0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer on the same channel.

As to "apparatus characterized by comprising: acquiring means that acquires a plurality of second contents that are second contents, provision of which is triggered by trigger contents provided from other content providing apparatuses on first broadcast channels while being combined with first contents and are common contents, which are generated on the basis of an identical template, corresponding to the respective first contents provided by a plurality of the other content providing apparatuses on the first broadcast channels" Menez discloses (§¶0007 and §¶0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125). Menez further discloses (§¶0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Menez meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel."

However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by

means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 10**, "a content providing apparatus characterized by further comprising holding means that receives, via a network, information inputted from a viewer on the basis of the second content transmitted and holds the information" Menez discloses (§10016 and §10018) that the servers receives information from receiver via communication network as represented in Fig. 1 (elements 122, 140, 145). However, the examiner takes official notice that it was well known in the art at the time of the invention to store user inputted information at the service provider. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store user inputted information received at the service provider to Menez's system would have yielded predictable result of easily accessing and tracking viewer's information record.

Regarding **claim 11**, "a content providing apparatus characterized in that the acquiring means acquires, as the second content, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a

commodity" Menez discloses (§0016, §0019, §0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 12**, "a content providing method for a content providing apparatus" reads on the digital broadcasting network that provides program contents to receiver (abstract) disclosed by Menez and represented in Fig. 1 (element 101).

As to "transmitting step of transmitting the plurality of the second contents on one second broadcast channel" Menez discloses (§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer on the same channel.

As to "method characterized by comprising: an acquiring step of acquiring a plurality of second contents that are second contents, provision of which is triggered by trigger contents provided from other content providing apparatuses on first broadcast channels while being combined with first contents and are common contents, which are generated on the basis of an identical template, corresponding to the respective first contents provided by a plurality of the other content providing apparatuses on the first broadcast channels" " Menez discloses (§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element

125). Menez further discloses (§0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Menez meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel."

However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Regarding **claim 13**, "a content providing method characterized by further comprising a holding step of receiving, via a network, information inputted from a viewer on the basis of the second content transmitted and holding the information" Menez discloses (§0016 and §0018) that the servers receives information from receiver via communication network as represented in Fig. 1 (elements 122, 140, 145). However, the examiner takes official notice that it was well known in the art at the time of the invention to store user inputted information

at the service provider. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store user inputted information received at the service provider to Menez's system would have yielded predictable result of easily accessing and tracking viewer's information record.

Regarding **claim 14**, "a content providing method characterized in that, in the acquiring step, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is acquired as the second content" Menez discloses (§§0016, §§0019, §§0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 15**, "transmitting step of transmitting the plurality of the second contents on one second broadcast channel" Menez discloses (§§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer on the same channel.

As to "a recording medium having recorded therein a computer readable program, characterized by comprising: an acquiring step of acquiring a plurality of second contents that are second contents, provision of which is triggered by

trigger contents provided from other content providing apparatuses on first broadcast channels while being combined with first contents and are common contents, which are generated on the basis of an identical template, corresponding to the respective first contents provided by a plurality of the other content providing apparatuses on the first broadcast channels" Menez discloses (§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125). Menez further discloses (§0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Menez meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel." However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Combination of Menez and Rao meets all the limitations of the claim except "computer readable program is recorded in the storage medium." However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store computer readable program on recoded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 16**, "a recording medium characterized by further comprising a holding step of receiving, via a network, information inputted from a viewer on the basis of the second content transmitted and holding the information" Menez discloses (§§0016 and §§0018) that the servers receives information from receiver via communication network as represented in Fig. 1 (elements 122, 140, 145). However, the examiner takes official notice that it was well known in the art at the time of the invention to store user inputted information at the service provider. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store user inputted information received at the service provider to Menez's system would have yielded predictable result of easily accessing and tracking viewer's information record.

Regarding **claim 17**, “a recording medium characterized in that, in the acquiring step, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is acquired as the second content” Menez discloses (§§0016, §§0019, §§0024) that the viewer selects the program identifier displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

Regarding **claim 18**, office will assume a computer readable program stored in a recording medium “transmitting step of transmitting the plurality of the second contents on one second broadcast channel” Menez discloses (§§0022) that based on the program selected through program identifier, an electronic form (second content) received from provider is displayed to viewer on the same channel.

As to “a computer readable program for a content providing apparatus, characterized by comprising: an acquiring step of acquiring a plurality of second contents that are second contents, provision of which is triggered by trigger contents provided from other content providing apparatuses on first broadcast channels while being combined with first contents and are common contents, which are generated on the basis of an identical template, corresponding to the respective first contents provided by a plurality of the other content providing



apparatuses on the first broadcast channels" Menez discloses (§0007 and §0012) that the broadcasters send programs with program identifier, which initiates an icon on the display screen as represented in Fig. 1 (element 125). Menez further discloses (§0012) that the viewer can purchase copy of the same broadcast program received in receiver by filling electronic form with viewer's information on the display device.

Menez meets all the limitations of the claim except "providing a plurality of the second contents corresponding to the respective first contents of a plurality of the first broadcast channels through the one second broadcast channel."

However, Rao discloses (pg.12, line 36- pg.15, line 3) that the broadcasting provider provides a plurality of sets of advertising content that match to a plurality of Spanish language channels and a plurality of English language channels by means of a single advertising channel as represented in Fig. 2. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Menez and Sakamoto's system by providing multiple sets of programming contents on the same channel as taught by Rao in order to save bandwidth and smoothing its performance.

Combination of Menez and Rao meets all the limitations of the claim except "computer readable program is recorded in the storage medium." However, the examiner takes official notice that it was well known in the art at the time of the invention to store computer program on computer recordable medium. Therefore, it would have been obvious to one of ordinary skills in the art at the

time of the invention to store computer readable program on recorded medium to Menez and Sakamoto's system would have yielded predictable result of easily installing program on other computer devices.

Regarding **claim 19**, "a program characterized by further comprising a holding step of receiving, via a network, information inputted from a viewer on the basis of the second content transmitted and holding the information" Menez discloses (§§0016 and §§0018) that the servers receives information from receiver via communication network as represented in Fig. 1 (elements 122, 140, 145). However, the examiner takes official notice that it was well known in the art at the time of the invention to store user inputted information at the service provider. Therefore, it would have been obvious to one of ordinary skills in the art at the time of the invention to store user inputted information received at the service provider to Menez's system would have yielded predictable result of easily accessing and tracking viewer's information record.

Regarding **claim 20**, "a program characterized in that, in the acquiring step, a content for causing a viewer viewing the first content to input a response to a questionnaire or a content for causing the viewer to input information necessary for purchasing a commodity is acquired as the second content" Menez discloses (§§0016, §§0019, §§0024) that the viewer selects the program identifier

displayed on the screen, where viewer enters information such as delivery address, payment information, etc to service provider to purchase a product.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Pub 2005/0144641 to Lewis discloses a system for on-demand rental and purchase of digital data products.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Annan Q Shang/  
Primary Examiner, Art Unit 2623

/PRC/